New Air Permit Exemptions

New permit exemptions are now available under the Department of Natural Resources (DNR) air pollution regulations, chapters NR 406 and 407 in the Wisconsin Administrative Code.

Construction Projects
Facilities that already have an operation permit and want to start a construction project with low actual emissions may be able to use the exemption. A construction project includes construction, modification, replacement, relocation and reconstruction. This is just intended for those with the traditional operation permits, because general and registration permits have built-in exemptions.

Anyone wanting to use this exemption must meet the following conditions:
1. Actual emissions from the construction project must be less than:

a. **1,666 pounds in any month**, when averaged over a consecutive 12-month period, of the pollutants: particulate matter, PM_{10}, nitrogen oxides, sulfur dioxide, carbon monoxide, and volatile organic compounds, and
b. **10 pounds of lead in any month**, when averaged over a consecutive 12-month period;

2. The construction project will not trigger any new requirements under:
a. the state hazardous air pollutant rule control determinations,
b. the major and non-attainment area new source review rules,
c. the New Source Performance Standards (NSPS), or
d. the National Emissions Standards for Hazardous Air Pollutants (NESHAP); and

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Available From the Small Business Clean Air Assistance Program...

✓ **Printers' Environmental Compliance Assistance Workbook**

✓ **Web cast of Training on Using the Printers' ERP**

Clean Air Advisor Going Electronic

Some of our readers have been receiving their copy of the Advisor through email for the past few years. To save costs, we'd like to switch everyone to email if possible.

To help those who may still have dial-up internet, we will not send the file as an attachment. Instead we will send you the direct link to the latest edition in Adobe PDF. Be sure and have the Adobe Reader installed on your computer. Go to **www.Adobe.com** to get a free copy.

Sign up for our Clean Air Advisor list-serve at **http://commerce.wi.gov/ bd/bd-ca-Advisor.html**. ❖

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New Exemptions

3. The facility must submit **two** documents to describe the construction project in detail, including descriptions of all activities and emissions units involved:

a. an application to revise the current operation permit, and

b. a claim that they intend to use the actual emissions based exemption.

In the event a control device is used to maintain emissions below the exemption thresholds, the facility must propose and follow monitoring and records that will demonstrate compliance with any other requirements that may apply.

Operation Permit Exemption

There is an exemption available for a whole facility whose actual emissions can stay below the thresholds:

a. **10 tons per year (TPY)** of each of the pollutants: particulate matter, PM_{10}, nitrogen oxides, sulfur dioxide, carbon monoxide, and volatile organic compounds,

b. **0.5 TPY lead,** and

c. any stack height based thresholds in the state hazardous air pollutant rule.

Facilities wishing to use this exemption must meet the following conditions:

1. Not affected by NSPS or NESHAP,

2. If required to submit the annual emissions inventory report, notify DNR of the intent to use this exemption, and

3. Request revocation or withdrawal of existing or pending permits (satisfied by #2 if required).

Again, records and monitoring are required if any control devices are used to meet the exemption thresholds. Records to demonstrate the actual emissions meet the exemption thresholds must include calculations performed at least once every year and must be maintained on-site for at least 5 years.

Benefits

These new exemptions will help those businesses that did not previously fit into the specific categories of exempt sources. This will reduce the regulatory burden for many businesses whose emissions are as low or lower than others that are currently exempt. ❖

Printers' ERP

❏ a Return to Compliance Plan form (RTCP) for each question where the response indicates it is required, that is if it says "Submit RTCP" for the answer you check

❏ if any RTCP forms are completed, fill out and submit the Environmental Compliance Audit Report Cover Page available on-line

If NO RTCP forms are required, then the Audit Report Cover Page is not required either.

During the current pilot of the printer ERP, self-certifications will be accepted through **September 21, 2007**. There is an option to complete the checklist online by going to **http://commerce.wi.gov/bd/bd-ca-ERP.html**. It will still be necessary to mail copies of any RTCPs and the Audit Report Cover Page if needed. Both the checklist and the web page provide the address for submitting the forms.

Questions about the ERP program can be directed to Renee Bashel of the SBCAAP at 608.264.6153. ❖

Hot Topics in Air Pollution

New Area Source Regulations from EPA

The US Environmental Protection Agency issued a National Emissions Standard for Hazardous Air Pollutants covering six categories of area sources on July 16, 2007. Area sources are manufacturing or other industrial or commercial facilities that EPA has determined to be sources of hazardous air pollutants (HAP) with potential emissions below the major source levels. The regulations apply to both new and existing sources. A new source is defined in this rule as any plant that commenced construction or reconstruction after April 4, 2007.

The number of facilities in Wisconsin that are affected by these rules is expected to be very low. The affected industries and the compliance due dates are summarized here:

Part 63 Subpart LLLLLL - Acrylic or Modacrylic Fibers Production Plants

The rule affects facilities that produce acrylic or modacrylic fibers and the related release of acrylonitrile from polymerization processes as well as monomer recovery processes.

Existing sources must comply by January 16, 2008, while new sources must be in compliance as of July 16, 2007 or when they start up.

Subpart MMMMMM - Carbon Black Production

The rule applies to not only production processes but also waste management units, maintenance wastewater, and equipment components that contain or contact the HAP.

Existing and new sources all must be in compliance as of July 16, 2007.

Subpart NNNNNN - Chemical Manufacturing of Chromium Compounds

This rule doesn't apply to research and development facilities. Existing sources must comply by January 16, 2008 but new sources must be in compliance as of July 16, 2007.

Subpart OOOOOO - Flexible Polyurethane Foam Production and Fabrication

Existing slabstock flexible foam production facilities have until July 16, 2008 to comply. All other existing molded flexible foam, rebond foam production, or flexible foam fabrication facilities must be in compliance as of July 16, 2007. New facilities in any of the above categories must comply as of July 16, 2007 as well.

Subpart PPPPPP - Lead Acid Battery Manufacturing

This applies to all lead acid battery manufacturing facilities, including grid casting, paste mixing, three-process operation, lead oxide, lead reclamation, and any other lead-emitting operation related to a lead acid battery manufacturing plant.

Existing facilities have until July 16, 2008 to comply. New facilities must comply as of July 16, 2007 or as soon as they begin operation.
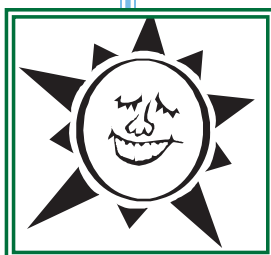
Subpart QQQQQQ - Wood Preserving

This applies to wood preservatives containing chromium, arsenic, dioxins, or methylene chloride that are applied using either pressure or thermal treatment .

Existing and new sources all must be in compliance as of July 16, 2007.

Rule Information

For questions on any of these categories of area source rules, contact Renee Bashel at 608.264.6153. You can find a copy of this rule and other area source rules at: **http://www.epa.gov/ttn/atw/urban/arearules.html**. ❖

Serving Small Businesses and the Environment in Wisconsin

If addressee unknown, please route to appropriate person:
❏ Environmental Manager,
❏ Health & Safety Manager,
❏ Plant Manager, or
❏ Owner/President

Printers' Environmental Results Program

To make the environmental requirements that apply to printers easier to understand, the Department of Commerce Small Business Clean Air Assistance Program (SBCAAP) worked with the Department of Natural Resources (DNR) and representatives of the printing trade associations PIW, PIA/GATF and SGIA to develop an Environmental Results Program (ERP) for Wisconsin printers. The ERP includes an Environmental Compliance Assistance Workbook and Environmental Compliance Self-Certification Checklist. The workbook and checklist are written in "plain language" and are designed to walk a printer through the requirements and explain exactly what needs to be done for compliance.

The air pollution requirements in the workbook were designed to match up with the requirements in the Type C Registration Operation Permit for Printers (ROP-C01). Using the ERP self-certification form will satisfy the annual certification requirement found in the ROP-C01. You can obtain an electronic version of the workbook by going to **http://commerce.wi.gov/bd/bd-ca-ERP.html** and looking for the table under ERP Materials.

Printers that participate in the full ERP self-certification process, may be able to minimize their liability for any violations found during a self-assessment through DNR's compliance audit program. To get the full benefit of the audit immunity program, the printer must notify the DNR of their intent to participate in the ERP Self-Certification process. The first step is to submit the audit postcard, which was mailed out by the SBCAAP to printers along with a self-certification forms packet. The second step is to complete each of the following forms and submit them to the DNR:

❏ the self-certification checklist, with signature of proper corporate official